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10/628,716 Cai 26

Claim Amendments

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1. (currently amended) ~~In a~~ A method implemented by infrastructure nodes in a communication system providing a service to a postpaid ~~plan-account~~ subscriber having a postpaid account and a separate prepaid account, thea method comprising:

monitoring, by one or more nodes in the infrastructure, subscriber activity relative to one or more the postpaid account of the subscriber plan thresholds, subscriber activity defining an amount of service provided to the subscriber within a billing period associated with the postpaid account;

for so long as a cumulative amount of the subscriber activity does not exceed a postpaid account plan threshold, billing the subscriber activity according to the postpaid account by one or more nodes in the infrastructure, where the postpaid account threshold is a predetermined number of minutes of subscriber activity, where said predetermined number of minutes constitutes an amount of minutes that is less than a maximum amount of minutes that can be charged to the postpaid account during the billing period; and

if the cumulative subscriber activity exceeds thea postpaid account plan threshold, defining surplus activity, billing at least a portion of the charges for the surplus activity to a supplementary the prepaid account by one or more nodes in the infrastructure.

2. (currently amended) The method of claim 1, further comprising:

if the subscriber activity exceeds a postpaid ~~plan-account~~ threshold, defining surplus activity, sending a message to the subscriber including indicia of the subscriber activity exceeding the postpaid ~~plan-account~~ threshold.

3. (currently amended) The method of claim 1, wherein the predetermined number of minutes constitutes anytime minutes, and a unit charge rate for minutes charged to the postpaid account not exceeding the postpaid account threshold is X, a unit charge rate for minutes charged to the postpaid account exceeding the postpaid account threshold is Y, and a unit charge rate for minutes charged to the prepaid account is Z, where Y > X, and Y > Z the supplementary account.

~~comprises a prepaid account, the step of billing to the supplementary account comprising billing at least a portion of the surplus activity to the prepaid account.~~

4. Canceled.

5. (currently amended) The method of claim 34, wherein the step of billing to the prepaid account comprises:

determining accumulated prepaid charges associated with the surplus activity;

monitoring the accumulated prepaid charges relative to an account balance associated with the prepaid account;

for so long as the accumulated prepaid charges do not exceed the account balance, billing the surplus activity to the prepaid account.

6. (original) The method of claim 5, wherein the step of billing to the prepaid account further comprises:

upon the accumulated prepaid charges exceeding the account balance, defining overcharge activity, determining an eligibility of the prepaid account to accept overcharges; and

if the prepaid account is eligible to accept overcharges, billing the overcharge activity to the prepaid account.

7. (original) The method of claim 6, further comprising:

upon the accumulated prepaid charges exceeding the account balance, defining overcharge activity, sending a message to the subscriber including indicia that the overcharge activity will be charged to the prepaid account.

8. (original) The method of claim 6, further comprising, if the prepaid account is ineligible to accept overcharges:

determining postpaid charges associated with the overcharge activity, based on a postpaid charge rate; and

billing the postpaid charges to the postpaid account.

9. (original) The method of claim 8, further comprising:
upon the accumulated prepaid charges exceeding the account balance, defining overcharge activity, sending a message to the subscriber including indicia that the overcharge activity will be charged to the postpaid account.

10. (currently amended) A method comprising:
establishing a prepaid account for contingency billing of a postpaid ~~plan~~account of a communication services subscriber where billing is initially directed to a postpaid account of the subscriber;
maintaining a record including indicia of activity of the postpaid ~~plan~~account subscriber relative to ~~one or more~~ a postpaid ~~plan~~account thresholds, where the postpaid account threshold is a predetermined number of anytime minutes of subscriber activity, where said predetermined number of anytime minutes constitutes an amount of minutes that is less than a maximum amount of minutes that can be charged to the postpaid account during the billing period; and
billing to the prepaid account in response to activity of the postpaid ~~plan~~account subscriber exceeding any of the one or more ~~the~~ postpaid ~~plan~~account thresholds.

11. (new) The method of claim 1 wherein said monitoring and billing steps are implemented by nodes in telecommunication infrastructure that support the services provided to the subscriber.

12. (new) The method of claim 10 wherein said maintaining and billing steps are implemented by nodes in telecommunication infrastructure that support the services provided to the subscriber.

13. (new) 1. An apparatus in infrastructure of a communication system that provides a service to a postpaid account subscriber having a postpaid account and a separate prepaid account, the apparatus comprising:

means for monitoring subscriber activity relative to the postpaid account of the subscriber thresholds, subscriber activity defining an amount of service provided to the subscriber within a billing period associated with the postpaid account;

means for billing the subscriber activity according to the postpaid account for so long as a cumulative amount of the subscriber activity does not exceed a postpaid account threshold, where the postpaid account threshold is a predetermined number of minutes of subscriber activity, where said predetermined number of minutes constitutes an amount of minutes that is less than a maximum amount of minutes that can be charged to the postpaid account during the billing period; and

means for billing at least a portion of the charges for the surplus activity to the prepaid account if the cumulative subscriber activity exceeds the postpaid account threshold.

14. (new) The apparatus of claim 13 wherein the predetermined number of minutes constitutes anytime minutes, and the monitoring means and all billing means are part of the infrastructure which is disposed in a cellular telecommunications infrastructure.